

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3285 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

ANVARHUSAIN GULAM M SHAIKH

Versus

STATE OF GUJARAT

Appearance:

MR PUROHIT for Petitioners

MR VM PANCHOLI, AGP for Respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 28/06/1999

ORAL JUDGEMENT

Heard Mr Purohit, learned counsel for the petitioners and and Mr V.M. Pancholi, learned AGP for the respondents.

2. The petitioners have challenged the order passed by the State Government under Section 34 of the Urban Land (Ceiling & Regulation) Act, 1976 and consequential orders passed by the authorities under the Act. The authorities had not taken over possession of the land in question from the petitioners, which fact is not in

dispute in view of the ad-interim relief granted on 13.5.1992.

3. The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999, passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4. The petition is accordingly disposed of as having abated. There shall be no order as to costs.

June 28, 1999 (M.S. Shah, J.)

sundar/-